Ober, Kaler, Grimes & Shriver Attorneys at Law

120 East Baltimore Street Baltimore, MD 21202-1643 410-685-1120 / Fax 410-547-0699 Pamela J. White piwhite@ober.com 410-347-7323

Offices In Maryland Washington, D.C. Virginia

November 10, 1998

Ms. Judy Navarro Investigator U.S. Equal Opportunity Employment Commission **Baltimore District Office** 10 S. Howard Street, 3rd Floor Baltimore, Maryland 21201

Dear Ms. Navarro:

We represent Kathy Koch to evaluate the circumstances of her employment and abrupt termination in connection with her complaint about the gender-biased hiring practices of LA Weight Loss. In the course of that representation, we communicated with outside counsel for LA Weight Loss from May 1, 1998 to June 8, 1998 on the occasion of their offer of a \$5,000 settlement rejected by Kathy Koch. The last communication with outside counsel was on July 7. 1998 and regarded corporate documents that Ms. Koch had discovered were still in her possession.

The enclosed copy of our letter of July 7 explains the circumstances under which the documents were discovered and returned. These documents included: tracking sheets with names and phone numbers of people Ms. Koch interviewed, applications for employment submitted to Ms. Koch including those of male applicants, telephone instructions of sales employees, Ms. Koch's critiques of employees' telephone performance, Ms. Koch's time sheet, a letter of resignation of a person trained by Ms. Koch, a fax from Ms. Koch to her supervisor regarding testing, and Ms. Koch's work schedule for March 1998.

If I can be of further assistance please call, 410-347-7323.

Sincerely,

Pamela J. White BH

PJW/tmb Enclosures

cc:

Ms. Kathy C. Koch (w/enc.)

**EXHIBIT** 

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July 7, 1998

**VIA FEDERAL EXPRESS** 

David E. Landau, Esquire
Wolf, Block, Schorr and Solis-Cohen LLP
Twelfth Floor Packard Building
111 South 15th Street
Philadelphia, PA 19102-2678

Re:

L.A Weight Loss Centers, Inc.'s Unlawful Termination of Ms. Kathv Koch's Employment

Dear Mr. Landau:

Kathy Koch recently has proceeded to lodge her charge with the EEOC and, comtemporaneously with that effort, to review her notes and records for documentation relevant to her charge.

As you know, Ms. Koch's termination from employment in L.A Weight Loss's personnel department came abruptly and without prior notice. She was informed that her position with L.A was terminated - effective immediately - and was told to vacate the premises. Ms. Koch was extremely shaken and emotionally distraught by this treatment. As instructed, she departed the premises promptly.

While employed with L.A in the capacity of interviewer/trainer, she had been given the responsibility for handling numerous applicant and employee files and records. At the time of her termination, she had some of these records in her possession. Under the circumstances of her termination, she did not think to return the records prior to her departure.

Ms. Koch has now discovered that documents in her possession may be proprietary in nature. Such documents are now returned to your attention and further transmittal to Ms. Koch's former employer.

Please call me with any questions.

Very truly yours,

Pamela I White

Enclosures

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Case 1:02-cv-00648-WDG packber 20021 Miled 69/16/2003 Page 4 of 4

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fax from Shurley